



Mattel, Inc.

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February 11, 2005

Via electronic filing

Donald S. Clark  
Secretary  
Federal Trade Commission  
Room 159-H (Annex Y)  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

Re: Comments on "Sliding Scale 2005, project No. P054503"  
Docket Id: 3084-AB00

Dear Mr. Clark:

Mattel, Inc. is the worldwide leader in the design, manufacture and marketing of toys and family products. For more than 50 years, Mattel, Inc.'s premier toy brands have delivered innovative toys that inspire and spark children's imaginations around the world. The company's best-known brands include Barbie®, Hot Wheels®, Fisher-Price®, Tyco® R/C, and American Girl.® With headquarters in El Segundo, California, Mattel has approximately 5,500 employees in the U.S., offices and facilities in 42 countries and sells its product in more than 150 nations throughout the world.

Mattel, Inc. appreciates the opportunity to submit comments in favor of the Commission's making permanent the sliding scale mechanism ("e-mail plus") for obtaining verifiable parental consent as described in the Children's Online Privacy Protection Act (COPPA).

Permitting website operators different methods for obtaining verifiable parental consent, depending on the degree of risk to a child, maintains the flexibility needed in the fast-paced Internet environment. COPPA currently imposes three important safeguards designed to protect the most significant threats to children's privacy. First, COPPA bars commercial website operators from requesting more information than is necessary to fulfill a child's request. Second, COPPA requires that the most robust methods of parental consent be used if information a website obtained directly from a child is to be shared with a third party. Third, COPPA requires website operators to maintain the confidentiality and security of children's personal information. The risks involved with an operator using a child's limited personal information, maintained with an appropriate degree of security, solely for its internal use, with no disclosure to third parties, are minimal.

The financial burden associated with mailed or faxed forms, toll-free telephone numbers, credit card authorization and other methods still exist for small companies and private individuals. The development of cost-effective, user-friendly digital methods has not proceeded as quickly as some would have hoped. Making the e-mail plus option permanent will not affect the development of secure technologies, and it will provide the public and websites with appropriate flexibility in obtaining parental consents.

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As long as restrictions against third-party sharing of data and restrictions against collecting more information than is necessary to participate in website activities are in place, and as long as all data is collected and maintained securely, we see no reason the e-mail plus option should not be made permanent. Indeed, the process might further be simplified by specifying that necessary personal information can be collected from children subject to parental notice and opt-out.

Mattel has successfully used the sliding scale in connection with online offerings with no questions or opposition from parents, and we urge the Commission to keep this option open to the online community.

Thank you for your consideration. Please let us know if we can provide further information, or answer any questions.

Respectfully submitted,

Corinne Murat  
Senior Manager, Government Affairs